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KETTENBACH - Mrs. Elizabeth Kettenbach aged seventy-eight years and nine months. Funeral from the residence, No. 279 Massachusetts avenue, at 1:30, Thursday, Dec. 24, 1896.

FUNERAL DIRECTORS.

lilinois street. Lady embalmer, for ladies and children. Office always open. Telephone 641.

FLANNER & BUCHANAN-172 North

CHURCH NOTICES. CHRIST CHURCH-On Christmas day choral cel-Morning prayer, sermon and holy communion at 10:30.

LOANS-Money on mortgages. C. F. SAYLES, 75 East Market street. TO LOAN-A large sum; amounts to suit; commission and expenses lowest. No gold clause. NEWTON TODD, 6 Ingalis Block. MONEY-To loan on Indiana farms. Lowest rates, with partial payments. Address C. N. WILLIAMS & CO., Crawfordsville, Ind.

LOANS-Sums of \$500 and over. C. E. COFFIN & CO., 90 East Market street. LOANS-Any amount. On furniture, planos store fixtures, etc. Reasonable rates. (Confidential.) E. J. GAUSEPOHL, 21/2 W. Wash. St., Room 4. MONEY-To loan on Indiana farms. Lowest market rate; privileges for payment before due. We also buy municipal bonds. THOS. C. DAY & CO., Rooms 225-330, third floor Lemcke Building, Indianapolis.

WANTED-MALE HELP. WANTED-Men and women out of employment and willing to work can learn of a permanent

situation at good wages by writing at once to P. V. H., Box 283, Augusta, Me. WANTED-Traveling salesmen for cigars. Old, lable house. Experience unnecessary. Ex-inducements to customers. \$75 to \$150 per th and expenses. CHAS. C. BISHOP & CO.,

WANTED-An idea. Who can think of some simple thing to patent? Protect your ideas; they may bring you wealth. Write JOHN WED-DENBURN & CO., patent attorneys, Washington, D. C., for their \$1,800 prize offer and new list

WANTED-SALESMAN. SALESMEN wanted to carry our celebrated cereal foods as a side line in Indiana; no couble; no samples; sure seller and good pay. quick for particulars. SLEEPY EYE MILLING CO., Sleepy Eye, Minn.

WANTED-MISCELLANEOUS. WANTED-PIGEONS 800 common plegons at once. Address L. SMITH, 265 South Illinois

FOR SALE. A MERRY XMAS

A HAPPY NEW YEAR TO ALL. We wish to extend our greeting to all and to money in groceries and meats. We claim have the best and most complete stock of croceries in the city. Our clerks are polite and attentive. Give us a call. Watch our ads. It We are making a special holiday sale ilch includes: English walnuts, 15c per pound.

25c for 4 pounds raisins. 25c for 4 pounds California prunes. 10c for 1 can table peaches. 10c for 1 can whipped cream baking powder.
The goods are all new and of the best grade.
Yours respectfully,

GEORGE J. HAMMEL. Phone 755. Free delivery.

FOR SALE OR EXCHANGE. OR SALE OR EXCHANGE-By C. W. Phillips, 70 Monument place—Roller process flour mill, 50 arrels per day; in good repair and well located. Roller process mill, capacity, 200 barrels per

110 and 112 Massachusetts avenue. Empire Block

Elevator; 25,000 bushels; junction of five rail-Two hotels, one in Indianapolis; one in North Printing office, well equipped.

Several good farms, city property and property Cripple Creek Gold Rock Mining Company of Celorado stock for sale at low price to develop new work; from \$10 to amount wanted; no debt of any kind on property; no preferred stock; non-assessable; output of Cripple Creek district for 896, \$16,000,000; prospective output for 1897.

Bicycle factory and other property. B. and L. ock, debenture and installment. Fire, life and 40-acre farm wanted within twenty-five miles. or city property. NOTICE.

NOTICE-A meeting of the stockholders of the Star Saving and Loan Association will be held an. 2, 1897, at 7:30 p. m., at the office of the as-ociation to vote upon the acceptance of the changes in the bylaws.
H. M. HADLEY, President. H. H. FAY, Secretary. The Board of Control of the Central Indiana Hospital for the Insane will receive sealed pro-posals up to Friday, Dec. 25, at 10 a. m., for fur-nishing a full line of supplies for the month of

Requisition book will be on file at Room 45, tatehouse, from and after Monday, Dec. 21, 1896. CLAIRVOYANT. CLAIRVOYANT-Mrs. T. Griswold, the great

anuary, 1897.

clairvoyant and palmist, tells you every hope, fear and ambition of life; everything revealed; gives advice on business, love and marriage. Office and residence, 296 East South street, 

MUSICAL-Magniscope entertainments for clubs, hurches and all societies. Open time first week January, Address CHARLES CRAIG, 1504 Maonic Temple, Chicago.

BUSINESS CHANCE. BUSINESS CHANGE-Charles H. Langston, formerly of the Denison House barber shop, has taken a chair at the Bates.

STORAGE-Indianapolis Warehouse Co., 255-273 S. Penn. st., Pennsylvania tracks. Phone 1343.

PALMIST. PALMISTRY - Juanita, the Gypsy palmist. Readings 25c up. 88 West Ohio street.

Office of Indianapolis Clearing House Association. The associated banks of Indianapolis will be closed on Friday, Dec. 25, "Christmas Day." Paper maturing on that day should be attended to FREDERICK BAGGS, Manager.

Counties Failing to Report.

Up to date only fifty-one counties have made their November settlement with the auditor of state, leaving forty-one still out, all in by the first of the year in order that the report may be ready for the inspection of the Legislature, and that body may know the exact condition of the State's inces. He declared yesterday that he had sent out a letter notifying each county treasurer who was still delinquent in his settlement that this time the penalty tardiness and failure to report within time specified by law would be rigidly

For Throat Diseases and Coughs use Bronchial Troches. Like all really good they are imitated. The genuine are sold

## AS TO VANDALIA AFFAIRS

OFFICIAL STATEMENT AS TO WHAT HAS BEEN AND WILL BE DONE.

A Decision Concerning Voluntary Relief Contracts-The Joint Traffic Managers Disturbed.

So much uneasiness is felt by the officials and employes over rumored changes and reduction of wages on the Vandalia that the following statement which is made on official authority, becomes of interest: The position of general superintendent has been abolished. Harry Miller, who held that position, can have his former place, superintendent of the main line, should he choose to accept it, but as yet he has not signified what action he will take. No further official changes are contemplated. The abolition of the office of general superintendent has increased the duties of some of the other officials. Reductions have been made in salaries of some of the higher salaried men, but not in that of the general manager or the superintendent of motive power. A few men in clerical positions and in outside agencies have been dispensed with. The most important change is discontinuing the freight station at St. Louis, and all in and all out-bound freights are handled at East St. Louis, as formerly, This throws about 100 men out of work at St. Louis. In speaking of the abandoning of this depot in St. Louis (proper) N. A. Taylor, general freight agent of the Vandalia, said: "It is necessity, not choice, that governs their action in the matter. When the station was built the Vandalia was granted concessions by the Merchants' Bridge people to compete with lines reaching St. Louis by way of the Eads Bridge. In January, the Merchants' Terminal Company will withdraw these concessions and the Vandalia will transfer its freight headquarters to East St. Louis. The Vandalia freight depot at Main and O'Fallon streets did platform and switching equipment.
When the Vandalia built the depot it enment with the Mer Terminal Association whereby freight destined to the depot was to be carried across the Merchants' Bridge for 2 cents a hundred pounds. The St. Transfer Company and the other roads coming into St. Louis frequently protested. The Terminal Association people did not consider these protests seriously until about three months ago. Then they opened up a correspondence with the Vandalia officials, finally announcing that on and after Jan. 1, the Vandalia would have to pay 5 cents a hundred on shipments over the Merchants' Bridge. This means that the Terr inal Association will not officially recognize the existence of the Main-street depot, but will fix its rates as if the shipments were going to Eleventh and Poplar. We will have to abandon the St. Louis depot, though we regret to do so. We canoperate on this side of the river with a 5-cents bridge rate. An increase of 3 cents a hundred is more than our business will bear. There has always been a feeling among the other roads that we were enjoying an undue advantage. We did have an advantage, but in opening the St. Louis depot, we did a great thing for the commerce of St. Louis. We spent \$1,000,000 on the depot and terminals. We will now make the East St. Louis freight depot our

The New Mileage Ticket.

Chairman Donald, of the Central Passenger Committee, has issued notice to all interested lines that he is ready to receive orders for the issue of the interchangeable 5,600-mile tickets which the roads of his organization for the most part have determinted to put into operation at the beginning of the year. Ine tickets will be good over forty-two roads running east and southeast from Chicago. All the roads over which the tickets are good are not members of the Central Passenger Committee, but all of them have constituted Chairman Donald as their agent for the issue and control of the mileage tickets. The tickets will be of the protograph-signature form, and both the signature and photograph of the applicant must be handed in at the time of making application for the ticket. Strips from the ticket will not be accepted for transportation nor for checking baggage, and in all cases where the ticket is used it must be presented entire. Before beginning any journey the holder of the ticket must take it to the ticket agent of the road over which he intends to travel and the agent will tear off the proper amount of mileage and issue to the holder a continuous passage ticket to his destina-tion. The mileage book is not transferrable and if presented by any one other than that whose photograph appears on the book it will be taken up and the fare collected. Chairman Donald will be the only one to issue the tickets and in no case will he issue a ticket until the full price (\$100) has been

paid for it. It is likely that the Western roads will hold another meeting in the near future to consider the advisability of issuing an interchangeable mileage ticket. There is a strong element among the roads, however, the Pittsburg, Fort Wayne & Chicago the is willing to wait until the Eastern lines have given the ticket a trial, and if they find that its use is satisfactory the Western lines may take it up. Some of the roads are in favor of a more aggressive polley and desire to issue the ticket at once tral, the Grand Trunk, the Erie and the without waiting for the Eastern lines, but as they now cannot possibly get the tickets | ties to the 5,000-mile interchangeable book. the time of the Eastern lines it is altogether likely that they will await the result of the trial to be given the ticket by the Eastern

A Disclosure of Secrets.

A few days ago a Chicago paper made public certain action taken by the Joint Traffic Association which was considered. confidential, showing how the roads had voted regarding the withdrawal of all second-class rates and pooling business from and by way of Chicago to New York and the awarding of percentages to each line. passing between the two cities. The announcement of this action created quite a stir in the Joint Traffic Association. The joint traffic agreement authorizes the managers to make investigations necessary to discover the location of a leak that resulted in such disclosure, and which had a tendency to bring the association into even greater disfavor, and it is understood that the presidents have ordered an early and complete investigation. In voting on the proposition the Pennsylvania voted in the negative stating that it believed such a division illegal. The Baltimore & Ohio did not think the thing practicable. The Grand Trunk believed it entirely practica-ble to divide second-class and first-class business as contemplated. The Lake Shore people went on record as thinking it not advisable. The Michigan Central believed it unfair to give up or go out of the secondclass business. The action included the fol-Resolved. That the managers invite the Chicago east-bound lines to consider the practicability of an agreement to divide east-bound second-class and steamship

passenger traffic from and through Chicafailing an agreement submitting the matter to arbitration. White the move is not a technical violation of the anti-pooling clause of the inter-

state law, it has the appearance of being an evasion thereof, which the Pennsylvania and some other lines do not approve of.

Relief Contracts in Court. The Supreme Court of Ohio has just rentween the Pennsylvania Company and its employes, when the latter are members of the voluntary relief department, is clearly defined. It was in the case of the Pittsburg, Cincinnati, Chicago & St. Louis Railway Company vs. Charles C. Cox, error to the Circuit Court of Warren county, Ohio, The Supreme Court rendered a decision to lief departments of rellroads from operatas follows: An employe of a railroad company voluntarily and with full knowledge of the character and effect of the contract he was assuming applied for admission to an association composed of the company and a portion of its employes, called the track, one mile in length, which has re-"voluntary relief department." and being contracted that the company might deduct from his wages the sum of 75 cents per month for the purpose of form- track at both ends. A street forty feet

to make, a relief fund for the benefit of the employes in case of sickness, accident or death; and contracted, further, that in case of accident, the acceptance by him thereafter of relief from the relief fund so accumulated, should have the effect to release the company from liability for damages. Held: 1. Such contract is not interdicted by the act of April 2, 1890, 87 O. L. 149, "for the protection and relief of railroad employes," etc. 2. The contract is not contrary to public policy. 3. The contract does not lack mutuality. 4. It is based upon a valid consideration.

and that of the Common Pleas affirmed Personal, Local and General Notes. Conductors of the Pennsylvania lines have been notified that annual passes of 1896 will be good till Jan. 15, 1897.

Judgment of the Circuit Court reversed.

The Chicago limited, which runs via the Baltimore & Ohio and Pittsburg & Western, is now a complete vestibule train. C. L. Pomeroy, of Buffalo, N. Y., general manager of the Nickel-plate fast freight line, was in the city yesterday. The Gulf, Colorado & Santa Fe will make extensive improvements at Dallas, Tex., one being the erection of a \$60,000 passen-

The Big Four earnings for the second week of December were \$255,771, a decrease as compared with the corresponding period of last year of \$1,878. M. D. Woodford, president of the Cincinnati, Hamilton & Dayton, who now makes his headquarters in New York, is in the

West for a few days.

The directors of the Southern Railway Company have elected Frank S. Gannon third vice president and general manager. He will take charge on Jan. 1. E. F. Cost, general freight agent of the

Big Four, has closed a contract with one Illinois firm to move 100,000 bushels of corn for export via Newport News. Clergymen hereafter will likely be more careful with their permits, as to have one

reissued in place of one lost will cost \$5 under the new order of things. James McCrea, vice president of the Pennsylvania lines, who has been in Philadelphia and New York for several days, yesterday returned to his headquarters at

The Cincinnati, Hamilton & Dayton has put on new passenger equipment to run between Cincinnati and Detroit, which they claim is up to as high a standard as any trains run in the country. The Cincinnati, Hamilton & Dayton will

continue to sell its 1,000-mile book after

placing the 5,000-mile book on sale. The C H. & D book covers nearly as large a mileage as does the 5,000-mile ticket. Chalmers Brown, president of the Railwas opened March 15, 1892. It was erected states that the membership of the associaway Officials' and Employes' Association, at a total cost of \$1,000,000. There is a spien- tion has increased more rapidly this month

> keeper at the Connersville Blower Company works, has accepted the position of private secretary to Charles Fee, general passenger agent of the Northern Pacific, with headquarters at St. Paul.

> Usually in December it requires 2,300 tons of coal a day for the locomotives on the Big Four, but so mild has been the weather this fall that quite a saving has been effected. Last year 720,000 tons of coal were required for locomotive fuel on the Big Four system.

On several of the lines the government has inspectors riding on passenger trains to ascertain whether the officials are sending any mail matter under the head of "railroad business" that should not go free. An offense of this kind makes the offender liable to a heavy fine. Twenty-one years ago last Monday

Frankfort, Ind., became a city. It now has four railroads, twenty-six passenger trains pass daily through the city, and from fifty to seventy freight trains, and it has become one of the important railroad centers of the northern part of the State. The Niles tool works, at Hamilton, O. last week shipped twenty carloads of machinery east over the Panhandle, destined to South Africa. An official of the Panhandle states that more machinery of different kinds is now moving over this line than at any previous time since 1892. Pursuant to the decree of the United

States Court in foreclosure proceedings the St. Joe & Grand Island Railway was sold yesterday at Hastings, Neb. The property was bid in by F. P. Olcott, of New York, chairman for the bondholders' committee. at \$3,000,000. There were no other bidders. A mechanic in the shops of the Wabash at Fort Wayne has invented a new staybolt cutter which is a wonderful labor-saving machine. It will perform in one hour as much work as four men in half a day. Master Mechanic C. H. Doebler has one of them in operation, and says it is a valuable

Property holders in Rush county are loud in their protests because the Supreme Court has compelled them to pay \$40,000 which the county voted in the aid of the old Cincinnati. Wabash & Michigan. To get a railway subsidy in that county, says one of the residents of Rushville, will be difficult thing. The Excelsior dumping machine, which

has been tested at Cleveland, On it is stated, will pick up a carload of coal or any other loose material and unload it in two and one-half minutes. A few days ago one of the big Bessemer line steamers received thirty-nine carloads from one of these machines in 110 minutes.

The Journal has excellent authority for saying that most of the statements respecting reductions of force and of pay on the Vandalia are speculative. So far as reductions of pay are concerned, the officials who are receiving some of the highest salaries may suffer, but there is no intention of reducing the pay of the shop or trainmen. There is an exceedingly heavy volume of express and mail matter now being hauled by the through lines. On Sunday Train on the Panhandle left Pittsburg with eleven carleads of express and mail matter for Indianapolis and St. Louis, and over

mail and express business is proportionate-

All the roads in Central Traffic Association territory, except the Michigan Cen-Lake Shore & Western, have become parcome party to the agreement, but the Erie, the Grand Trunk and the Michigan Central positively decline to accept it. A Russian imperial ordinance has been issued to sanction a new Eastern Chinese Railway Company, with a capital of 5,000,-000 roubles, to construct and work a railway from the western frontier of Hei-Lung-Chiang to the eastern frontier of in Manchuria, to connect with branches of the Siberian railway. It is provided that the holders of shares must be

ssians or Chinese. The fact that the Terre Haute & Indianapolis and the St. Louis. Vandalia & Terre Haute are in the hands of a redoes not warrant any expectations that changes will be made at the annual meeting in the directory and officers the roads named. The Pennsylvania Rail-Company owns a majority of the stock in both companies, and will of course elect men of its own choosing.

The Western roads say that they will business from Canadian points to points in eastern Canada and New England, to which objection has been made by the Canadian Pacific. They say they have put the commissions in to remain as leng as the Soo line keeps up its commissions and they will not take them out until they have had satisfactory assurances that the Soo has done or is about to do likewise. Calvin S. Brice, president of the Cleveland, Akron & Columbus, one of the syndicate's recent acquirements, is discouraged over the results of the last year's operations. The gross earnings decreased \$18.250, the operating expenses increased \$20,143 and the earnings decreased \$39,094. In his annual report he says there is a necessity for a radical readjustment of the ances of the company and for increased facilities for securing and handling traffic The chairman of the Western Passenger Association has handed down a ruling on the transportation of theatrical baggage. He holds that a party presenting five tickets purchased at the regular authorized rate will be allowed one baggage car free of charge, and that the car may be allowed as long as the charges are paid, no matter how many people may be in the party. He further holds that when it is not practicable to run a special car the baggage may be transported in the regular car free of charge. The steamer City of Duluth, which runs

between Chicago and Benton Harbor in the interest of the Big Four, on Saturday brought into Benton Harbor the largest cargo of freight ever received there. She brought fifty-two cars of glucose and and other miscellaneous freight. Forty-five carloads of this freight was for shipment South over the Big Four. The three warehouses of the Big Four at that point are now filled with storage freight which has been brought in by the lake steamers and placed there for shipment during the winter. Besides this, there are several hundred barrels of salt stored on the dock.

The Baltimore & Ohio is pushing the terminal improvements at Pittsburg, which it is estimated will cost in the aggregate a half-million dollars. Two miles of new double track are being built, and a third quired a great deal of masonry and filling up. The new yards will be laid out on the diagonal plan, connecting with the main ing, with other like contribution by other | wide and three thousand feet in length runs employe members, and contributions, which | directly Grough the center of the net-work | Hood's Pills are the best family cathartic by the contract the company was obliged of tracks, with main bulk delivery tracks and liver medicine. Contle, reliable, sure.

on both sides of it. The street is to be soi-idly paved with Belgian block. The new yards at Glenwood will have a capacity to

hold 2,000 cars. A traveling freight agent of the Chicago, Burlington & Quincy states that the movement of corn on that line is now about equally divided between Chicago and the gulf ports. Chicago railway officials frankly admit that there is more corn going around Chicago than is coming to it, the Southern Atlantic ports-Balltmore, Newport News and Norfolk-getting the benefit New Orleans is still leading all ports in the corn export trade. Twenty-seven million bushels cleared from that port in the first eleven months of this year; from Galvestor 8,613,000; at both ports, 28,893,000 bushels in excess of last year. Newport News and Norfolk have not suffered, but for the same ime have exported 27,000,000 bushels, an increase of over 19,000,000 bushels over last year. Baltimore has made some gains, exporting 30,000,000 bushels, against 23,000,000 oushels the first eleven months of 1895.

## MR. HOLT A FIGUREHEAD

HIS ANSWER IN THE STREET-RAIL-ROAD RECEIVERSHIP CASE.

Attended No Meetings Where Stock Was Increased-Judge Woods Orders Monon Men Paid.

Answers to the amended bill of complaint n the case of Church and others against the Citizens' Street-railroad Company were filed yesterday by several of the local persons whose names were given in the list of stockholders as set forth in the amended complaint. Sterling R. Holt says that when Verner and McKee reorganized the company he was asked to become a director and accepted one share of stock to qualify for that office. He was given to understand that he was to have nothing to do with the financial management of the company, but was simply to serve as an advisory member of the board on matters relative to the operation of the system of street railroads. He never attended any meeting of stockholders at which an increase of capital stock was voted on: never signed any consent to such increase and which an issue of bonds or the execution

of a mortgage was proposed. Mr. Holt shows that he has long since surrendered his share and is out of the company. George J. Marott and S. C. Igoe say they know nothing of the matters set forth in the bill of complaint, but ask that their interests as bona fide holders of stock be protected. Henry Jameson and Newton Todd say they have sold their stock.

MONON EMPLOYES' PAY.

Judge Woods Will Not Let Men Suffer on Account of Bank Failure.

Judge Woods, of the United States Circuit Court, yesterday telegraphed to E. C. Fields, attorney for the receiver of the Monon, urging that the employes of the road be paid without delay. About the 28th of the month has always been the time for paying the employes, but it has been the custom of W. H. McDoel, both in the capacity of general manager and receiver, to pay early enough in December that the men may have the use of the money for Christmas. It is the custom to pay in checks, and these checks were issued, but before they were cashed came the failure of the National Bank of Illinois of Chicago, in which the receiver of Yesterday it reached the ears of Judge Woods that there was some uneasiness on the part of the men lest they would not be able to cash their checks in full. The fear, though groundless, he thought might

the Monon was a depositor. prompt some of the men to dispose of their checks at a discount, and he at once authorized the statement that the court would see to it that checks are paid in full, even if receiver's certificates have to be issued to meet the claims. The telegram to Judge Fields at Chicago suggested the importance of paying the checks without delay and left the attorney to infer that the holidays and the winter season both being here tended to swell the importance.

IN FAVOR OF STURM.

Decision of a Chancery Master in Old Mexican Arms Case.

C. A. Korbly, as special master in chancery in the case of Herman Sturm against Ferdinand Baker, yesterday filed with the clerk of the United States Court his report recommending a judgment favorable to the plaintiff. If this finding is sustained Gen. Sturm will receive \$67,335.38. The suit was filed in 1881 and grows out of a partnership between plaintiff and defendant by which they engaged to ship munitions of war to Mexico in 1867, when the Mexicans were revolting against Maximillian, whom the French had placed upon the throne.

They shipped about \$200,000 worth of goods in two vessels. One of the vessels was lost and the other lost part of her cargo. Then came suft against marine insurance companies and finally a dispute between the partners over the division of the insurance money. In 1886 the United States Court of Appeals had the case and in an opinion by Judge Gresham decided against Sturm. Judge Woods dissented to this opinion. The Supreme Court ordered the case referred back to a master.

## ADDITIONAL DELEGATES.

Further Lists Reported to Monetary Conference Committee.

Lists of delegates to the monetary convention of Jan. 12 are beginning to come in rapidly and it is evident that the personnel of the convention will be of a very high order, for the commercial organizations are selecting men of high character and influence as their representatives. It is not the expectation of the executive committee that the convention will attract any considerable crowd outside of the delegates. elements of personal contests for glory or | the property, both real and personal, to the for place that serve to attract crowds to national political conventions. The Chicago Board of Trade has sent a revised list of delegates, eliminating two or three names. It had elected in the first place more dele-gates than were apportioned to it. The following lists were reported to the executive committee yesterday: Louis Merchants' Exchange-E. O

Stanard, Clark H. Sampson, Louis Fusz and Cincinnati Commercial Club-Julius Dexter. Alexander McDonald, James E. Mooney and J. G. Schmidlap. Washington, D. C., Board of Trade-E Southard Parker, John Jay Edson, C. F. Morment, S. W. Woodward, Charles Dell. F. C. Stevens, E. S. Johnson, John W. Thompson, B. H. Warner, James M. Johnston, M. C. Emery and George G. Hen-Four enthese are alternates. Washington being entitled to but eight delegates. Mayor Northern, of Greensburg, has appointed Will Cumback a delegate to the National Currency Reform convention to meet at Indianapolis next month.

LUMBER-WAGON SUBSTITUTE Used by Fire Department for a Ladder Truck.

Shortly before 1 o'clock yesterday after-Collins, colored, at 229 East Washington street, and rapidly spread to the rooms occupied by D. Davis, a second-hand clothing dealer, at No. 231, and H. Obstfeld, at No. 229. For a time it seemed apparent that the building was doomed, but the department succeeded in staying the progress of the flames and extinguished them, with a loss of \$200. One of the department ladder trucks is undergoing repairs, and people who were attracted to the fire were amused to see, as a substitute, an old lum-ber wagon loaded with ladders thumping and creaking down the street in its mad progress to the fire. At 3 o'clock in the afternoon the department had a run to No. 830 North Pennsylvania street, where an outhouse burned

Rheumatism is a foe which gives no quarter. It torments its victims day and night, Hood's Sarsaparilla purifies the blood and cures the aches and pains of rheumatism.

and at 4 o'clock a burning pile of rubbish

called for a run to No. 289 Blake street.

STATE LAW COVERING THIS OF-FENSE SHOWN TO BE DEFECTIVE.

Point Raised in Criminal Court That Leaves No Punishment for Wheelmen Thus Accused.

A point of interest to bicycle riders was raised by Holtzman & Leathers in a case in the Criminal Court yesterday. They appeared to defend Wesley Olds, a collector for Tuttle & Seguin, who was arrested in Brightwood for riding on the sidewalk. In Justice Sears's court the young man was fined \$1 and costs. The case was appealed to the Criminal Court, where the attorneys filed a motion to quash the indictment on the ground of no statute covering the offense. Their motion was overruled and a jury trial demanded. After hearing the evidence, which showed that Olds rode upon the sidewalk of Pendleton avenue, in the suburb, because the roadway had been newly graveled and was impassable, Judge McCray inquired of the prosecutor what the penalty was. Mr. Holtzman informed him there was none, producing the statute in proof of his assertion. Burns's revision of 1894 provides as follows: "4398. (3361.) Driving on Sidewalk-1. It shall be unlawful for any person to ride or drive upon the brick, stone, plank or gravel sidewalk of any town or village, or upon any similar sidewalk for the use of foot passengers by the side of any public highway in this State, unless in the necessary act of crossing the same.' A notation above the section quoted states that the act went into force March

Immediately below it appears the follow-

ing section: 4399 (3362.) Misdemeanor-3. Any person who shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor, and, upon conviction thereof shall be fined in any sum not exceeding \$3." It has been the custom of the courts to construe the penalty of \$3 provided in Section 4399 as applying to the preceding sec-tion relative to driving on sidewalks. Yesterday Mr. Holtzman made the point that never attended any meeting of directors at | this is erroneous in view of the fact that Section 4399 was in force Aug. 6, 1859, several years before the law relative to driving on sidewalks was passed, in March, "Why didn't you say so before the trial?" inquired the judge.

"If the court pleases," replied Mr. Holtz-man, with a sly twinkle in his eye, "we moved to quash on the ground of no statute. The attorneys didn't want to disclose their case prematurely." Judge McCray was at a loss how to instruct the jury, as there are a number of cases similar to the Olds case pending on

appeal to the Criminal Court, and he did not care to establish a precedent until the point has been settled by the Supreme Court. However, he instructed the jury to acquit, as there did not appear to be a strong case against Olds. This point has never been raised before, although the same statute (Sec. 4398) was n question in the case of Mercer vs. Cor-

bin, decided in 117 Ind., 450. In that case, however, the question of the penalty was not involved. It was a suit for civil damages, the plaintiff claiming he was injured by being ridden down by a bicycle on the sidewalk. The court held a bicycle to be a vehicle and that it was therefore unlawful for it to be on the sidewalk. Damages were given the plaintiff on account of defendant's unlawful act. Recently the Brightwood Town Board undertook to pass an ordinance prohibiting persons from riding on the sidewalks, but on advice of the town's attorney it was not passed, as Section 1709, Burns's revision

1894. provides: "Whenever any act is made a public offense against the State by any statute and the punishment prescribed therefor, such act shall not be made punishable by any ordinance of any incorporated city or town; and any ordinance to such effect shall be null and void, and all prosecutions for such public offense as may be within the jurisdiction of the authorities of such incorporated cities or towns, by and before such authorities, shall be had under the State

law only. Messrs. Holtzman & Leathers say same law applies to Indianapolis, so the Council would not have authority to pass an ordinance prohibiting bicycles from using the sidewalks so long as there was a State law in effect defining a public offense and "the punishment prescribed therefor. As Section 4398 is clearly abortive and in-operative, it is believed the Council now has authority to pass an effective ordi-

LOOKING FOR MATLOCK.

Court After the Man Who Committed Contempt by Marrying.

Last Saturday Judge McMaster, of Room Superior Court, granted a divorce to Lewis Matlock. The divorce was granted at the plaintiff's cost and with the stipulation that he refrain from marrying for a period of two years. On the way out of the courthouse, Matlock stopped at the county clerk's office and secured a license to wed Nancy Donahoo, and on Saturday night the marriage was solemnized at Mat-

lock's home in West Indianapolis, The act of Matlock was reported to the court and Matlock was summoned to appear and show cause why he should not be punished for contempt. The case was set for yesterday morning at 9 o'clock. At that hour Matlock's father appeared, learned the nature of the proceedings and left the courtroom. People in the corridor say that Lewis Matlock was waiting for his father cate organized by a local capitalist, conand left the courthouse with him. When ditioned upon the ability of the company attachment was issued for him deputy sheriff is now searching for him. It is within the jurisdiction of the court in such a case, not only to fine Matlock and send him to jail for contempt of court, but to annul the marriage with Nancy Donahoo and set aside the decree of di-Matlock has to be brought into court, however, before these proceedings

Probate of Wills.

Margaret B. Bos was yesterday appointed executrix of the last will and testament of her deceased husband, Jacob Bos. Her bond was fixed at \$18,000, which she gave, with Philip J. Hauss and Christian It will have about it none of the exciting | Bos as sureties. The will bequeaths all widow for herself and her daughter during her natural life, provided she shall rethe will provides that the widow shall have only that part of the estate to which she is entitled under the laws of the State, the remainder to go to the daughter. Lewis W. Dooley, of Columbus, was appointed executor of the last will and testament of Henry M. Billings. Bond, \$2,200. Benjamin F. David was appointed adminstrator of the estate of Mary Hiatt. Bond, bated. It leaves all his personal property to his wife. Magdalene, and the real estate to her during life, providing that it shall then go to their children or their heirs. The widow was made executrix, under A Mantel Dealer's Rent.

Daniel P. Erwin filed a suit yesterday in the Superior Court against John M. Lilly to collect rents due for business rooms in the Denison House. The complaint shows that Lilly succeeded to the business of The Indianapolis Tile, Mantel and Mosaic Company and agreed to assume the lease of the The lease extended until March, 1897, and provided that lessee pay \$112.50 a month in advance. It is alleged that rent for September, October, November and December has not been paid and judgment for \$500 is

He Mistreated His Wife.

Yesterday morning Leonardo Rappaport, otherwise known as Signor Vegara, was acquitted of the charge of wife desertion. Special Judge Hadley said: "From a legal standpoint the defendant is entitled to be released. Whife the evidence presented shows that the actions of the wife were such as to absolve the husband from any obligations nothing commendable in the actions of the husband has been shown and it was shown that he mistreated his wife.' Mrs. Rappaport is now penniless and

seeking employment. Bad Women to His Own Home. A suit was filed yesterday by Eliza C Bouchie for a divorce from her husband Charles Bouchie. The parties were married on July 30, 1888, and lived together until September, 1896. It is alleged that during the wife's absence from home, the defendant brought to their home women of bad character and lived with them for some time,

and finally he entirely abandoned his wife

and left for parts unknown. His present residence is unknown to the plaintiff.

Indicted in Second Degree. The grand jury yesterday made a partial report, returning an indictment against Harvey Singleton, charging him with murder in the second degree. This will prevent the case from going out of the county on a change of venue. Singleton, with Will Porter and George White. became engaged in a quarrel with Calon Voris, on Indiana avenue, and one of the three shot him. White and Porter have already been indicted.

Claim Docket in Circuit Court. On Tuesday, Dec. 29, Judge Alien, of the Circuit Court, will call the claim docket for the purpose of setting cases for trial, or otherwise disposing of pending claims. All claimants, administrators and interested attorneys are required to be present.

THE COURT RECORD.

Supreme Court. National Bank vs. Culbertson. Floyd, C. C. Dismissed. Hackney, J .-- When a suit is brought by a nonresident against the heirs of an estate under the provisions

of Section 2597, R. S., 1894, such suit will be a proceeding under decedent's estates

act; and an appeal from the decision there-

in is governed by Section 2609 and 2610, R. S., 1894, and not under the provisions of the 17813. Mulvane vs. Rude. Morgan, C. C. Affirmed. Monks, J .- A devise in fee clearly and distinctly made in an item of a will cannot be cut down or modified by subsequent provisions not clearly and distinctly manifesting the testator's intention to limit such devise; nor by instructions or suggestions that the testator may make in his will. 2. When real estate is given absolutely to one person with a gift over to another of such portion as may remain undisposed of by the first taker at his death, the gift over is void as repugnant to the absolute property first given. 3. The power of disposition of property need not be given by express words in a will, but the power may be implied from the language used 17740. Adams vs. Vanderbeck. Henry, C. C. Reversed. McCabe, J. 1.—This court is

bound to presume that there was evidence to which each one of the features of the instructions given was applicable. 2. A conveyance of real estate for the extinguishment of a pre-existing debt will be sufficient to make the grantee a bonafide purchaser, when he has no knowledge of any prior equities. Superior Court.

Room 1-John L. McMaster, Judge. D. B. Nussbaum vs. C. J. Truemper; account. Dismissed and costs paid. Laura E. De Ruiter vs. Derk De Ruiter; divorce. On trial by court.

Room 2-Lawson M. Harvey, Judge. Mary Gompf vs. Charles Gompf; divorce. Decree granted plaintiff with custody of taken place in the four weeks that the minor child. Defendant ordered to pay | Munyon doctor has treated me, but God into court \$25 attorney fees and \$3 a week for support of child. August Sahm vs. Mary C. Loomis; mechanic's lien. Dismissed and costs paid. Luella Sheeks vs. T. H. & I. Ry.; damages. On trial by jury.

Room 3-Vinson Carter, Judge. Lewis R. Gibbons vs. Eliza J. Applegate; Finding and judgment for plaintiff vs. defendant for \$102 and costs. The Western Paving and Supply Company vs. Elizabeth Ryan; lien. Finding for plainiff for \$35.14 and costs. Bennett Barnett vs. William Frick. Finding for plaintiff vs. William Frick for \$1,-164.35 and costs.

Criminal Court. C. C. Hadley, Special Judge. State vs. Leonardo I. Rappaport; wife desertion. Finding of not guilty. Frank McCray, Judge.

State vs. John Kelly; petit larceny. Find ng of not guilty. State vs. Wesley Olds; riding bicycle on sidewalk. Appealed from Magistrate Sears, Trial by jury and verdict of not guilty. Circuit Court. Henry Clay Allen, Judge.

Gladden Lumber Company vs. John Buck: on notes. Demand, \$700. Superior Room 2. Eliza C. Bouchie vs. Charles H. Bouchie; divorce. Superior Court, Room 1.
Daniel Foley vs. Peter H. Noone; fore-Superior Court, Room ? John W. Buch; foreclosure of vendor's lien. Superior Court, Room 2. Susan McKernan vs. William Lytle et al. for foreclosure and appointment of receiver. Superior Court, Room 3. Daniel P. Ervin vs. John M. Lilly; on contract. Demand \$500. Superior Court,

Philander E. Phillips et al. vs. Lizzie Burdott et al.; foreclosure. Superior Court, Orville L. Webb et al. vs. John W. Buck et al.; on account. Demand \$240. Superior

Court, Room 3.

WITH \$500,000 CAPITAL. New Gas Company Stock Subscribed

Under Certain Conditions. S. P. Sheerin, of Logansport, was in city yesterday. He declared that he had nothing to do with the effort to organize a new gas company, which, so far as he knew, was a movement entirely in the hands of Indianapolis capitalists. Mayor Taggart, when asked about the story that he had been asked how the city administration would view a request for a fran-chise to lay mains, said he had never been spoken to upon the subject, but it was his understanding that others connected with

the administration had been. A Journal reporter was informed last night that over \$500,000 stock had been subscribed to such an enterprise by a syndiget a franchise to lay pipes in the a all over the city. The intention, it is stated, is to put in a plant with the expectation of using it in time for the distribution of artiticial fuel gas.

TWO PEOPLE DROP DEAD

Marcus Goldsmith Expires at City Hospital- A German Woman's Case. Marcus Goldsmith, aged sixty-one years,

dropped dead at the City Hospital at 11 o'clock Tuesday night. He was suffering with heart disease and, being unable to sleep, was sitting in a chair. Ho was found by a nurse shortly after he The death was not reported to the office until yesterday morning. A of Goldsmith took the body for burial. Barbara Bradshaw, a German woman who was the wife of a negro, dropped dead yesterday afternoon at her home, 171 West

Fourteenth street (old Fifth.) She was

standing in the back door at the time. Death probably resulted from heart failure. An autopsy will be held to-day. She was forty-five years old. Unhitched Team Runs Amuck.

A team belonging to A. Falkenstein became frightened in front of Tomlinson Hall at noon yesterday while Falkenstein and ran south on Delaware street to the railroad crossing. In front of the commis-sion house of H. Syerup a team was knocked down and farther down the street an old mule that was patiently shuffling along was given the Highland fling. maddened horses were finally stopped, the owner, who came tearing down the street, collided with an officer and was locked up for leaving his horses unhitched.

Wines for holidays at Schuller's.

The Name at the Bottom makes a check go at the bank and the signature at the bottom of this advertisement in blue on

the label of each jar of

Liebig COMPANY'S Extract of Beef

makes it go into the homes of those who appreciate and will have only the best of everything.

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The Wonderful Results of the Munyon System of Medicine Proven Daily.

Physician's Services Free at Your Home or at Munyon's Office, in Majestic Building, Cor. Pennsylvania and Maryland Sts.

READ THE TESTIMONY.

God Knows I Am Thankful-"I Nevez Expected to Get Out of Bed Again." A PECULIAR CASE.

Mr. Fowler, No. 40 Springfield street, lately moved to 17 Douglass street, says: "Have been sick for three years. Was in business. Had to give it up. I spent \$2,000 in money doctoring in three years. Spent about all I had. Business gone, money gone, health gone. I was in despair, Thought I would lose my mind. My nerves, stomach and lungs were in an awful condition. Have tried ten of the best doctors I could select. They all said my case was a peculiar one and they could do me no good. They told me that one of my lungs was gone. I nearly choked to death with coughing spells. The neighbors came in several different times, thinking I was dying. No one expected me to live. I was confined to bed most of the time since last

"I called in one of the Munyon doctors, after everybody, doctors and all, had given me up. He told me what to do; and said I would be up in less than a month. I be-gan to get better and am now up and able to go out of doors. Have been to Munyon's office several times. My cough is entirely gone. Am now enjoying life again; am gaining in flesh and I feel again like life is worth living. My friends say that they can hardly realize that I am up and out. Indeed, I can hardly realize myself the wonderful change in my condition that has knows I am thankful."

"The First Dose Helped Me"-"Their Effect Was Like Magic."

Mrs. Rupe, No. 787 North Delaware street. says: "I was seized with a severe cough and pain in my left lung about six weeks ago. I sent for one of the best physicians was very uneasy about myself and feared was going to have an attack of pneumonia. At the suggestion of a neigh sent for one of the aunyon doctors and he prescribed for me. The effect of the medicine was just wonderful. I could feel that the first dose helped me and by the time had finished taking the first prescription was entirely cured. "I now advise all my friends to use Dr. Munyon's remedies, for their effect on me was like magic.

"I Owe My Life to Munyon."

Mr. I. D. Simms, No. 483 Martindale avenue, says: "For two years I have suffered from stomach, kidney, liver and nervous Adolph Glick vs. The Buffalo German Introubles-in bed most of the time, and for surance Company; suit to collect insurance. seven months flat on my back, not able even to raise up in bed. I had to be fed with a spoon. I spent all I had doctoring. Four weeks ago I called one of Munyon's physicians. I began to improve at once. The vomiting that had been so bad for months stopped within one day. Hope came to me again. I had given up the idea of ever being cured. I can now eat and re-Gertrude Yorn vs. Aamnda P. Buch and tain my food. I am up and about, gaining in weight rapidly. It is impossible for any one to realize what I have suffered. One sentence will tell it all-I owe my life to

Hearing Restored.

Jas. S. Warford, of Coldwater, Mich., (now visiting at 423 East Twelfth street, this city), says: "I have been gradually losing my hearing for the past twenty years. was advised to consult Dr. Munyon. I have now taken the treatment just three weeks and I can now hear the ticking o a clock. I was almost totally deaf before taking treatment."

CAUTION AGAINST IMITATORS

The public is advised that Munyon's Remedies cannot be imitated; that the free treatment, free physicians and free distribution of remedies was inaugurated nearly five years ago by Professor Munyon.

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tion and the best professional service

that medical science affords. Everybody invited and made wel-Office Hours-9 a. m. to 8 p. m.



THE year is drawing to a close, which is a reminder that all unsettled business should be attended to. A man owes it to his family as a paramount duty that in case of death his plans and wishes shall be known. Every man and woman owning property, and intending to dispose of it, should make a will. Even if satisfied with the division made by law, it is always well to have some one in whom you have confidence to make that division. THE UNION TRUST COMPANY will act as Executor, Administrator, Guardian and Trustee. It cannot die like an individual, will always be responsible financially, and will work for moderate compensation. Consultations as to making wills are invited and they will be safely kept for nothing.

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